

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: **Garvey et al**

Application No. **Not Yet Assigned**

Filed: **January 15, 2004**

For: **Nitrosated and Nitrosylated Potassium Channel Activators,  
Compositions and Methods of Use**

Attorney Docket No: **102258.286 US3**

Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 Forms.

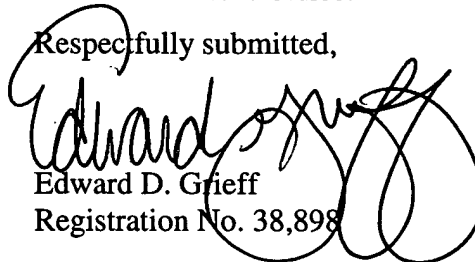
The submission of this Information Disclosure Statement does not represent that a search has been made and does not constitute an admission that the listed documents are material to patentability or that the listed documents are prior art.

Pursuant to 37 CFR § 1.98(d), Applicants are not submitting a copy of the references cited on the PTO-1449 Form because the cited references were previously submitted to or cited by the PTO in the parent and/or grandparent application, to which the present application claims priority.

This Information Disclosure Statement is being filed with the application. Accordingly, no fee is due.

Applicants respectfully request that the Examiner initial and return a copy of the enclosed PTO-1449 Form with the next communication from the Patent Office.

Respectfully submitted,



Edward D. Grief  
Registration No. 38,898

Date: January 15, 2004  
HALE and DORR LLP  
1455 Pennsylvania Avenue, NW  
Washington, DC 20004  
Phone: (202) 942-8400

<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE</b> (Modified) <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  (Use several sheets if necessary) (37 CFR 1.98(b))										<b>ATTY DOCKET NO.</b> 102258.286			<b>SERIAL NO.</b>		
<b>APPLICANT</b> Garvey et al															
<b>FILING DATE</b> May 12, 2000							<b>GROUP</b>								
<b>U.S. PATENT DOCUMENTS</b>															
<b>EXAMINER INITIALS</b>		<b>PATENT NUMBER</b>						<b>ISSUE DATE</b>	<b>PATENTEE</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE IF APPROPRIATE</b>			
		4	0	5	7	6	3	6	11/8/77	Petersen					
		4	2	0	0	6	4	0	04/29/80	Nagano et al					
		4	6	0	0	5	7	7	07/15/86	Didriksen					
		4	6	1	7	3	1	1	10/14/86	Ho					
		4	7	2	0	3	8	7	01/19/88	Sakamoto et al					
		4	7	6	9	3	8	1	09/06/88	Ishihara et al					
		4	7	8	9	6	7	9	12/06/88	Hamilton et al					
		4	7	9	2	5	6	4	12/20/88	Harder et al					
		4	8	0	3	2	1	3	02/07/89	Iida et al					
		4	8	2	2	8	0	8	04/18/89	Iida et al					
		4	8	3	2	9	5	4	05/23/89	Sato et al					
<b>FOREIGN PATENT OR PUBLISHED PATENT APPLICATION</b>															
		<b>DOCUMENT NUMBER</b>						<b>PUBLICATION DATE</b>	<b>COUNTRY OR PATENT OFFICE</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION</b>			
		9	9	0	7	3	7	0	02/18/99	WIPO			<b>YES</b>	<b>NO</b>	
		9	9	1	1	2	3	8	03/11/99	WIPO					
<b>EXAMINER</b>									<b>DATE CONSIDERED</b>						

**EXAMINER:** Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		4	8	7	0	0	9	0	09/26/89	Noda et al			
		5	0	3	2	5	9	1	07/16/91	Evans et al			
		5	1	6	6	3	4	7	11/24/92	Izawa et al			
		5	2	1	1	9	4	3	05/18/93	Azuma et al			
		5	2	2	3	5	0	8	06/29/93	Izawa et al			
		5	2	5	6	6	8	8	10/26/93	Grover et al			
		5	2	6	2	4	1	9	11/16/93	Aberg et al			
		5	3	5	4	7	6	4	10/11/94	Grover et al			
		5	4	8	8	0	5	9	01/30/96	Buhl			
		5	5	8	0	5	7	6	12/03/96	Veronesi et al			
<b>OTHER DOCUMENTS (Including Author, Title, Date, Relevant pages, Place of Publication)</b>													
<b>EXAMINER</b>										<b>DATE CONSIDERED</b>			

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<b>EXAMINER INITIALS</b>							
<b>OTHER DOCUMENTS (Including Author, Title, Date, Relevant pages, Place of Publication)</b>							
		Holmquist et al, Acta. Physiol Scand., 138:463-469 (1990).					
		Holmquist et al, The Journal of Urology, 144:146-151 (1990).					
		Edwards et al, TiPS, 11:417-422 (1990).					
		Christ et al, Journal of Andrology, 14(5):319-328 (1993).					
		Hedlund et al, The Journal of Urology, 151:1107-1113 (1994).					
		Fan et al, The Journal of Urology, 153:818-825 (1995).					
		Seftel et al, Biochem and Biophys. Res. Comm., 219:382-387 (1996).					
		Atwal et al, J. Med. Chem., 41:271-275 (1998).					
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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PTO/SB/08A (10-96)  
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		<b>Complete If Known</b>	
Sheet <u>4</u> of <u>10</u>		Application Number 09/570,727	Filing Date May 12, 2000
		First Named Inventor Garvey, David S.	
		Group Art Unit Examiner Name	
		Attorney Docket Number 102258.286	

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,140,031		Atwal et al.	08-18-1992	
		5,206,252		Butera et al.	04-27-1993	
		5,232,938		Stemp et al.	08-03-1993	
		5,393,771		Atwal	02-28-1995	
		5,401,758		Atwal et al.	03-28-1995	
		5,411,973		Russell et al.	05-02-1995	
		5,416,097		Erhardt et al.	05-16-1995	
		5,482,969		Empfield et al.	01-09-1996	
		5,504,089		Russell	04-02-1996	
		5,510,386		Empfield et al.	04-23-1996	
		5,677,324		Mackenzie et al.	10-14-1997	
		5,679,706		D'Alonzo et al.	10-21-1997	
		5,693,639		Empfield et al.	12-02-1997	
		5,837,702		Rovnyak et al.	11-17-1998	
		5,900,432		Empfield et al.	05-04-1999	
		5,972,961		Hewawasam et al.	10-26-1999	
		5,563,160		Bramm et al.	10-08-1996	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
		EP	0 076 075 A1		Evans et al.	04-06-1983		
		EP	0 107 423 A1		Evans et al.	05-02-1984		
		EP	0 120 427 A1		Evans et al.	10-03-1984		
		EP	0 120 428 A1		Faruk	10-03-1984		
				</				

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete If Known</b>		
			Application Number	09/570,727	
			Filing Date	May 12, 2000	
			First Named Inventor	Garvey, David S.	
			Group Art Unit		
			Examiner Name		
Sheet	57	of	210	Attorney Docket Number	102258.286

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete If Known</b>	
			Application Number	09/570,727
			Filing Date	May 12, 2000
			First Named Inventor	Garvey et al.
			Group Art Unit	Unknown
			Examiner Name	Unknown
Sheet	61	of	2	10
			Attorney Docket Number	102258.286

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Examiner Signature		Date Considered	
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Substitute for form 1449B/PTO		<b>Complete If Known</b>			
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Applicant Number	09/570,727		
		Filing Date	May 12, 2000		
		First Named Inventor	Garvey et al.		
		Group Art Unit	Unknown		
		Examiner Name	Unknown		
Sheet	72	of	10	Attorney Docket Number	102258.286

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Chemical Abstracts, 101:83562 (1984).	
		Chemical Abstracts, 128:175873 (1997).	
		PCT International Search Report for PCT/US00/12957 (August 8, 2000).	

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Substitute for form 1449B/PTO			<div>Complete If Known</div> <div>Application Number 09/570,727</div> <div>Filing Date May 12, 2000</div> <div>First Named Inventor Garvey</div> <div>Group Art Unit</div> <div>Examiner Name</div> <div>Attorney Docket Number 102258.286</div>	
<div>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</div> <div>(use as many sheets as necessary)</div>				
Sheet	92	of	210	

[illegible]

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		Application Number	09/570,727
		Filing Date	May 12, 2000
		First Named Inventor	Garvey et al
		Group Art Unit	
		Examiner Name	
		Attorney Docket Number	102258.286
Sheet	101	of	110

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